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Arnold Schwarzenegger
Governor

October 19, 2005

Mail-Out #MSC 05-19

TO: ALL PASSENGER CAR MANUFACTURERS
ALL LIGHT-DUTY/MEDIUM-DUTY VEHICLE MANUFACTURERS
ALL OTHER INTERESTED PARTIES

SUBJECT: PUBLIC WORKSHOP REGARDING PROPOSED AMENDMENTS TO
THE ON-BOARD DIAGNOSTICS II (OBD II) REGULATION AND
EMISSION WARRANTY REGULATIONS

In 1989, the California Air Resources Board (ARB or Board) originally adopted section 1968.1, title 13, California Code of Regulations (CCR) that contains the malfunction detection and diagnostic system requirements known as OBD II. The regulation required that all 1996 and newer model year light-duty and medium-duty vehicles be equipped with OBD II systems. Subsequently, ARB updated the OBD II requirements in 2002 with the adoption of sections 1968.2 and 1968.5, title 13, CCR. These addressed several concerns and issues regarding the OBD II regulation and set up enforcement requirements.

At the April 2002 hearing, the Board again directed the staff to continue to follow manufacturers' progress towards meeting the OBD II requirements, and to report back should modifications to the requirements be deemed appropriate. Since then, staff has developed amendments to the OBD II regulations that will be brought before the Board at a public hearing scheduled for early 2006. The proposed amendments include, among other things, addition/modification of diesel monitoring requirements to be consistent with the newly-adopted heavy-duty OBD regulation, addition of monitoring requirements for cylinder air-fuel imbalance, and changes to improve the incorporation of OBD II into Inspection and Maintenance (I/M) programs. The proposed amendments also include clarifications and/or modifications to several areas of the regulation including in-use performance ratio phase-in schedule and requirements, oxygen sensor monitoring, comprehensive component monitoring for non-traditional powertrain components, and the standardization requirements. Further, the service information requirements within the OBD II regulation itself will be deleted as they have been superseded by a separate stand-alone service information regulation (section 1969, title 13, CCR). Additionally, any other issue related to technical feasibility may be raised for discussion at the workshop. Any such requests for modifications or changes should be supported by data and/or technical analysis substantiating the need for the change.

The energy challenge facing California is real. Every Californian needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our website: <http://www.arb.ca.gov>.

California Environmental Protection Agency

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In 1979, ARB originally adopted sections 2035-2041, title 13, CCR that contain the warranty requirements for passenger cars, light-duty trucks, and medium-duty vehicles. The regulations established requirements for manufacturers to warrant emission-related parts for both defects and performance for a period of three years and 50,000 miles. Additionally, a subset of "high-cost" emission-related parts was eligible to be warranted for seven years and 70,000 miles if they met specific inflation-adjusted cost numbers. The sections were subsequently amended in 1990 and then minor changes regarding the timing of submittal of information required under these sections were made in 1999.

ARB is now proposing further amendments to the warranty regulations to update the references to emission-related parts to account for emission control technology that is used today and to simplify the requirements where possible. Specifically, the proposed amendments would eliminate the outdated emission-related parts list used to identify components eligible for the high-cost warranty and instead, require high cost warranty coverage for any component that is subject to warranty for 3 years and 50,000 miles and meets the inflation-adjusted cost limit. Further, the proposal includes language to harmonize a portion of the warranty requirements to be consistent with U.S. EPA warranty requirements. In particular, the proposed amendments would harmonize with the U.S. EPA's warranty for 8 years and 80,000 miles and require coverage of the catalyst and emission-related on-board computers.

The staff also requests comments from industry in an effort to refine the proposed amendments and implementation schedules in a manner that will allow for efficient and effective use of developmental resources. ARB staff has scheduled a workshop to discuss its current position and proposals and obtain information to further formulate specific proposals prior to the release of the Staff Report and documents relating to the 2006 Board Hearing.

The workshop will be held at the date, time, and location below:

Date:	Wednesday, November 16, 2005
Time:	9:00 a.m. to 5:00 p.m.
Location:	Air Resources Board Annex IV Auditorium 9530 Telstar Avenue El Monte, California 91731

If you would like to make a formal presentation during the workshop, please contact Mr. Michael McCarthy, Manager, Advanced Engineering Section, at (626) 771-3614, or

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e-mail at mmccarth@arb.ca.gov.

Interested parties unable to participate in the workshop or those wishing to supply additional information are encouraged to submit written comments by November 9, 2005. Written comments should be sent to Mr. Steve Albu, Assistant Chief, Mobile Source Control Division, Air Resources Board, 9528 Telstar Avenue, El Monte, California 91731.

Draft regulatory language for the proposed changes to the OBD II regulation and warranty regulations are not yet available, but will be added to the following ARB website prior to the date of the workshop:

<http://www.arb.ca.gov/msprog/obdprog/obdregs.htm>.

If any party wishes the information submitted to be treated as confidential by ARB staff, it should be clearly marked as "confidential" and should be on pages that are easily detachable from other, non-confidential, information. California guidelines (Sections 91000-91002, Title 17, CCR, and Health and Safety Code Section 39660 (e)) will be followed in the handling of confidential information.

To request special accommodations for persons with disabilities, please contact Mr. Michael McCarthy no later than November 9, 2005. TTY/TDD/Speech-to-Speech users may dial 7-1-1 for the California Relay Service.

Sincerely,

/s/

Robert H. Cross, Chief
Mobile Source Control Division

cc: Mr. Michael McCarthy, Manager
Advanced Engineering Section
Mobile Source Control Division